United Nations A/63/121/Add.1

General Assembly

Distr.: General
26 September 2008

Original: English

Sixty-third session
Agenda item 77
Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

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Report of the Secretary-General*

Addendum

1. During the period from 16 May to 30 September 2008, nine additional reports were received from States pursuant to paragraph 10 of General Assembly resolution 61/31. Reports by States contain, inter alia, information on measures they have taken to enhance the protection, security and safety of diplomatic and consular missions and representatives, as well as missions and representatives with diplomatic status to international intergovernmental organizations on their respective territories. The relevant information concerning those reports is presented below.

Reports received from States pursuant to paragraph 10 of General Assembly resolution 61/31

2. Suriname (report dated 20 May 2008) referred, inter alia, to incidents involving the Embassies of the United States of America and of the Netherlands, as well as the Ambassador of the Organization of American States (OAS), Indonesian and Indian diplomats, a United Nations Development Programme (UNDP) diplomat, the Inter-American Development Bank (IDB) representative and the residence of the Ambassador of the Netherlands.

3. Requests and incidents during recent years include the following:

(a) Large-scaled events such as receptions, fairs, meetings, visits to the interior and formal unveilings;

* The present addendum reflects contributions received by the Secretary-General after the 15 May 2008 deadline.

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(b) The provision of security for persons and property at the Embassies of the Netherlands and the United States of America because of threats;

(c) Permanent police presence at the United States Embassy because of the events of 11 September 2001;

(d) Investigation of all thefts and other criminal offences against persons and property; the perpetrators are mostly drug addicts who steal fruit from trees;

(e) One serious armed hold-up in the house of an Indonesian diplomat;

(f) One serious armed robbery against the Ambassador of OAS in his residence;

(g) Persons taking photos of the residence of diplomatic personnel;

(h) A couple of traffic accidents (without injuries);

(i) An attempt to rob a UNDP diplomat of his laptop;

(j) Theft of copper pipes at the residence of the IDB representative;

(k) Theft of a wallet in the house of an Indonesian diplomat;

(l) Theft of an item from the residence of an Indian diplomat;

(m) The firing of a shotgun against the front facade of the Embassy of the Netherlands by a person to whom a visa had been denied;

(n) Destroying of a pigeonhole at the Embassy of the Netherlands;

(o) The explosion of a hand grenade thrown at the residence of the Ambassador of the Netherlands.

4. The Netherlands (27 May 2008) referred to incidents in The Hague involving the Embassies of the United States of America, Mexico and Denmark, as well as the Consulate General of Germany in Amsterdam.

5. On 9 September 2006 an individual was arrested by the Netherlands police because of threats against various offices in the Netherlands, including the American Embassy in The Hague. The accused was brought to justice and in 2007 was sentenced to 18 months in prison for having participated in the commission of preparatory acts leading to murder and/or homicide for terrorist purposes.

6. On 22 December 2006 an unannounced demonstration took place at the Mexican Embassy in The Hague. About 15 protesters entered the Embassy, declaring support for the struggle of the people of Oaxaca against repression and for freedom of expression. They demanded the release of prisoners in Oaxaca and the dismissal of the Governor of Oaxaca. The protesters gained entrance into the Embassy by misleading the Embassy about the purpose of their visit: their pretext was the presentation of an exhibit of artistic photographs. The police were called and the protesters were escorted out of the Embassy. No damage was done. The Embassy refrained from making an official report on the incident.

7. On 22 December 2006 the Danish Embassy in The Hague was splattered with paint. Among the stains was a written text on the subject of a building in Copenhagen in which squatters were housed. The text was a protest against the judgement of a Danish Court mandating the eviction of the occupants of the

building. The offenders have not been traced. Compensation for the damages to the Danish Embassy has been paid by the Ministry of Foreign Affairs.

8. On 17 January 2007 the American Embassy received an envelope containing two 9mm cartridges. The provenance of the contents of the envelope has been investigated thoroughly by the national police. The outcome has not led to an arrest because concrete information was not found.

9. On 10 May 2007 a number of protesters, calling themselves anarchists, threw paint bombs at the German Consulate General in Amsterdam. The protesters called attention to the Group of Eight Summit to be held in Germany in June 2007. The police in Amsterdam have investigated the incident but have not been able to arrest the offenders. Additional security measures have been taken by the security authorities around the Consulate for a limited period. Compensation for the damages to the German Consulate has been paid by the Ministry of Foreign Affairs.

10. Serbia (10 June 2008) reported incidents and measures taken by the competent Serbian authorities following the demonstrations that broke out in Belgrade and in some other parts of the country in the wake of the declaration of independence of Kosovo and Metohija in the period between 17 and 22 February 2008. The Belgrade police apprehended 196 persons on suspicion of having committed a criminal offence and/or a misdemeanour. Out of that number, 130 persons have been charged; 34 of them have been detained under article 229 of the Law on Criminal Procedure of Serbia because of the commission of the criminal offence of grand larceny (article 204 of the Criminal Code of Serbia) and participation in a group that commits a criminal offence (article 349 of the Criminal Code). Out of the 34 persons detained, 7 have been arraigned, while requests to institute proceedings for the commission of a misdemeanour have been made in respect of 19 persons. Evidence against 47 persons is being collected in order to try them before competent courts of law.

11. During the demonstrations, 204 persons requested medical assistance in the area over which the Belgrade police had authority; 188 of them sustained light injuries and 16 grievous bodily harm. Out of the overall number, 96 persons were police officers (7 of them sustained grievous bodily harm and 89 light injuries).

12. A number of official police vehicles were damaged during the demonstrations.

13. Except in the building of the United States Embassy, no investigation has been carried out in affected diplomatic or consular missions because no approval and/or damage claims have been received yet.

14. The Ministry of Internal Affairs of Serbia continues to take measures to identify persons who made threats or damaged the buildings, vehicles and/or equipment of a diplomatic or consular mission. In addition to the provision of 24-hour physical security, regular measures have also been taken to protect the life, rights and freedom of movement of members of diplomatic or consular missions in the entire territory of Serbia.

15. Greece (30 June 2008) referred to the communication from Turkey dated 15 May 2008 concerning the incidents on 10 December 2007 involving two cars belonging to personnel of the Turkish Embassy and Consulate General and the Embassy premises in Athens.

16. As regards the damage to vehicles belonging to personnel of the Turkish Embassy and Consulate in Athens:

(a) A police investigation is still under way. Criminal proceedings have not been concluded yet. There is no evidence whatsoever that the incidents were terrorist acts as defined in Greek criminal law, which is harmonized in this respect with the relevant European Union common position and framework decision. The evidence gathered so far in the context of the police investigation points to delinquent behaviour of a marginal group of individuals who defy public order and try to attract public attention. Similar incidents involving damage to vehicles of Greeks and foreigners, indiscriminately, have taken place occasionally, which shows that no political motives are involved. Efforts to bring the perpetrators to justice are being continued;

(b) Greece provides adequate protection to the Turkish diplomatic and consular missions in Greece, in accordance with the relevant provisions of the respective Vienna Conventions. More specifically, all premises of the Turkish Embassy and the consular authorities in Greece are guarded permanently on a 24-hour basis. Furthermore, Greece provides, well beyond its obligations as receiving State as stipulated in the Vienna Conventions, additional protection, including police escorts, to the vehicles of high-ranking Turkish diplomatic and consular staff. In total, 135 police officers and 10 police escort vehicles are provided by the competent Greek authorities for these purposes;

(c) In addition, the competent Greek authorities are currently considering, as an extraordinary precautionary measure, the replacement of the special licence plates of all vehicles of the Turkish diplomatic and consular authorities in Greece and their staff with regular ones.

17. As regards the allegations contained in the report submitted by the Permanent Mission of Turkey in relation to the protection offered by the Greek police in cases of demonstrations outside the premises of the Turkish missions:

(a) Greece responds promptly and efficiently to relevant requests put forward by the Turkish Embassy in Athens for intensified security measures in case of demonstrations taking place in front of the premises of Turkish diplomatic and/or consular missions. Since January 2007, 25 requests of this kind have been submitted and the Greek authorities have responded adequately and swiftly. In all these cases no incident putting in jeopardy the safety of the Turkish missions occurred;

(b) On no occasion have Greek police "negotiated" with demonstrators, as purported in the note verbale from the Permanent Mission of Turkey to the United Nations. However, it is the duty of the police to ensure that protests, including the communication of protesters with foreign missions, take place in a peaceful manner, without disturbing public order or in any way compromising the security of the mission in question.

18. Austria (8 July 2008) referred to the incidents involving the Turkish Embassy in Vienna on 17 March 2008 and the Turkish Consulate General in Bregenz, Austria, on 2 January 2008, as well as to the measures taken by the local authorities for the protection of the chanceries of the Permanent Mission of Turkey to the United Nations and International Organizations in Vienna and the Permanent Mission of Turkey to the Organization for Security and Cooperation in Europe (OSCE).

19. On 17 March 2008 small bags containing paint were thrown at the chancery of the Turkish Embassy in Vienna. The police officer in charge did not intervene, as he was at that moment busy guarding the other side of the building. On the basis of information retrieved from the surveillance system, the Austrian police initiated a criminal investigation against three persons, who have not yet been apprehended. The Turkish Embassy received ex gratia compensation for the damage caused by the paint.

20. On 2 January 2008, four juveniles, who, according to eyewitness accounts, were drunk, threw several bottles filled with gasoline at the building of the Turkish Consulate General in Bregenz. The Austrian police initiated a criminal investigation against those persons, who have not yet been apprehended.

21. With regard to the premises of representations of Turkey in Austria, it should be further noted that the chanceries of the Permanent Mission of Turkey to the United Nations and International Organizations in Vienna and the Permanent Mission of Turkey to OSCE are under mobile security protection.

22. The authorities of Austria wish to assure the Secretary-General that appropriate measures are taken to protect the premises of diplomatic missions and consulates against any intrusion or damage and to prevent any disturbance of the peace of such a mission or offence against its dignity, as well as to prevent any attack against the staff of diplomatic missions and consulates.

23. The United States of America (16 July 2008) referred to incidents involving its Embassy in Belgrade on 21 February 2008, United States diplomats and locally employed staff of its Embassy in Zimbabwe, accompanied by diplomats from the United Kingdom of Great Britain and Northern Ireland outside the town of Mazowe, Zimbabwe, on 5 June 2008 and the United States Consulate General in Istanbul on 9 July 2008.

24. On the evening of 21 February 2008, at 1711 hours, Serbian police charged with protecting the United States Embassy in Belgrade withdrew from the front of the Embassy and allowed a group of rioters to attack it. After the police withdrew, the number of rioters increased, and the attackers intruded into the Embassy. The police returned only at 1933 hours, after the rioters had caused considerable damage to the Embassy's windows, facade, buildings and equipment.

25. Fire Department personnel eventually arrived at 1944 hours and extinguished a fire at 2130 hours. The Embassy sustained approximately $540,000 in damages, and one of the rioters died in the attack.

26. On 5 June, five United States diplomats and two locally employed staff of the United States Embassy, accompanied by diplomats from the United Kingdom, were illegally detained, harassed and threatened by Government forces and mob elements at a roadblock outside the town of Mazowe, Zimbabwe. The United States diplomats were on a pre-election assessment trip in Mashonaland, Central Province. Zimbabwe police detained two vehicles carrying United States Embassy staff for more than five hours. They also deflated the tires of one of the two vehicles and took other measures to prohibit the diplomats and Embassy staff from moving. During the day-long incident, the lives of the travellers were also threatened by mobs. All Embassy staff were ultimately released after United States Ambassador McGee intervened with senior Zimbabwe officials.

27. At approximately 1100 hours on 9 July, there was an attack on the guard post outside the entrance to the United States Consulate General in Istanbul. One police officer repelling the attackers died at the scene, and two other officers died at a local hospital of injuries they sustained in the attack. Two other police officers were also injured in the attack. The United States commends the heroism of the Turkish officers and notes that the local authorities responded rapidly and effectively to the attack, and are actively investigating the incident.

28. Slovenia (12 September 2008) referred to incidents involving the Embassies of Slovenia in Athens on 7 September 2007, in Brussels on 22 and 23 December 2007, in Belgrade on 17 and 27 February 2008 and in Vienna on 14 June 2008. Incidents involving the residence of the Ambassador of Croatia, the Ambassador and the Consul of France on 15 May 2008 and the Embassy of Serbia on 4 June 2008 in the territory of Slovenia were also reported.

29. On 7 September 2007 the Embassy of Slovenia in Athens received a written threat against the Slovenian Ambassador. The Ministry of Foreign Affairs of Greece was informed of the incident.

30. During the night of 22 and 23 December 2007 there was a burglary of the Embassy of Slovenia in Brussels. There was some material damage congruent with the use of the burglary tools, and 104 visa stickers were stolen. The police were informed of the incident, and a new alarm system connected to a wireless telephone and new anti-burglary door were installed.

31. On 17 February 2008 at 1900 hours about 30 demonstrators broke into the premises of the Embassy of Slovenia in Belgrade through the main entrance during violent demonstrations in connection with the declaration of Kosovo independence. At first, the police only observed the situation and did not intervene. Later, it removed demonstrators from the Embassy without prior notification of Embassy staff. The flags of the European Union and Slovenia were removed from the flagpoles on the building and were then burned in front of the Embassy. Serious material damage (destroyed furniture, computers, televisions, balcony fencing; broken windows; damaged interior) was inflicted. The police and the Serbian Ministry of the Interior were informed of the incident. On 18 February 2008 the Ministry of Foreign Affairs of Slovenia lodged a protest with the Embassy of Serbia in Ljubljana and a claim for damages has been sent to the Serbian Ministry of Foreign Affairs, but no response has been received yet.

32. On 27 February 2008, the Embassy of Slovenia in Belgrade received written threats against the safety of Slovenian politicians, companies and ambassadors. The Security and Technical Service of the Ministry of Foreign Affairs of Slovenia was informed.

33. On 14 June 2008 burglars beat up a diplomat who had entered the Embassy of Slovenia in Vienna upon hearing the alarm sound. The burglars entered the building through the garage, breaking into several electrical and phone cabinets and breaking off the alarm's keyboard. Welding and metal-cutting equipment was also brought to the place of the burglary. The front door was damaged and an attempt was made to break into the consular safe. The police were informed of the incident.

34. There were a few cases of vandalism at the residence of the Ambassador of Croatia, which is located in the vicinity of the student residence. The Ministry of

Foreign Affairs has informed the police of all incidents, and a criminal report against an anonymous perpetrator to the Office of the State Prosecutor was made.

35. The Ministry of Foreign Affairs also received reports of written threats received by two Embassies. On 15 May the Embassy of France reported that the French Ambassador had received three written threats allegedly sent by a Slovenian citizen, who also telephoned the Ambassador and the Consul after being deported from France. The police were informed of the situation. On 4 June 2008 the Embassy of Serbia received a written threat, which was transmitted to the police by the Ministry.

36. Mauritius, Mexico and Slovenia reported that there had been no serious violations during the reporting period.

37. Suriname (20 May 2008), the Netherlands (27 May 2008), Serbia (10 June 2008), Mauritius (20 June 2008) and Mexico (8 July 2008) also reported on the measures they had taken to enhance the protection, security and safety of diplomatic and consular missions and representatives as well as missions and representatives with diplomatic status to international intergovernmental organizations on their respective territories.[1]

[1] For the relevant parts of the reports see the website of the Sixth Committee of the General Assembly (www.un.org/ga/sixth/) sixty-third session: "Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives"; report of the Secretary-General; full texts of the replies.